

REMARKS

Reconsideration and allowance of the above identified patent application are hereby requested. Claims 9-20 and 29-46 are now in the application with claims 9, 11, 19, 29, 31, and 39 being independent. The Applicants respectfully traverse the Office's rejections.

Rejection Under 35 U.S.C. §103(a)

Claims 9-10, 19-20, and 29-30 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,625,619 to McClendon et al. ("McClendon"). Claims 11-18 and 31-46 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over McClendon in view of U.S. Patent Publication No. 2001/0037490 A1 to Chiang ("Chiang"). These contentions are respectfully traversed.

Claim 9:

The Applicants' claim 9 recites (underlining added for emphasis) "responsive to a request to retrieve the file: retrieving the file; and retrieving a shadow file having a filename comprising the filename of the file and containing information about the file but not contained in the file."

The Office asserts (Action of July 27, 2006, page 4) that "McClendon also discloses including a shadow file, or companion file, in an XML format, having a filename that associates it with the original HTML file and containing property set information about the HTML file that is not included within the HTML file (See McClendon, Column 17, lines 64-67)." The Applicants respectfully disagree.

The property set information disclosed by McClendon relates to a product, not a file. For example, McClendon (Col. 17, lines 64-67) discloses (underlining added for emphasis) "Preferably, each individual product property set can be pasted into an existing HTML product data sheet using XML coding or be saved in XML format in a companion file with a file name that associates it with the original HTML file." Further, McClendon (Col. 17, lines 59-61) explains that (underlining added for emphasis) "Each individual product has its own set of properties – a product is defined as the smallest unit that has a unique part number."

McClendon does not disclose, teach, or suggest that a product property set contains information about a file. This point is illustrated in McClendon's description of product procurement (Col. 14, lines 54-58), which discloses that (underlining added for emphasis) "When the desired product is found, a property sheet can be printed or pasted into a local document. If LinkMan is running, the property set can be automatically pasted into the project database...." Clearly, McClendon provides no indication that a product property set contains information about anything other than a product. Therefore, McClendon does not disclose, teach, or suggest retrieving a shadow file containing information about the file, as is claimed.

Additionally, claim 9 recites "...retrieving a shadow file having a filename comprising the filename of the file...." The Office (Action of July 27, 2006, page 4) concedes that "McClendon does not disclose expressly that the shadow or companion file includes the name of the file...." The Office (*Id.*) asserts, however, that "...it was generally well known at the time of the invention to name file containing property set data, such as an XML file associated with an HTML file, identically to the file it defines, differing only in the file extension,...." The Office further states that a motivation to combine the disclosure of McClendon with the allegedly well-known practice of using a file name that differs only in the file extension would have been to maintain the association between the files. The Applicants disagree.

Taking official notice in the absence of documentary evidence to support the Office's assertion is not appropriate in the present case (MPEP 2144.03). File naming constitutes a technical fact that relates to the claim at issue. Further, using a shadow file filename that comprises the filename of another file about which the shadow file contains information is not a fact that is capable of instant and unquestionable demonstration as being well-known. Additionally, the Office does not set forth any technical reasoning to support its assertion that the claimed file naming method was generally well-known at the time of the invention. Therefore, the Office's reliance on alleged well-known prior art is improper. The Applicants refute the official notice and request the Office to reconsider.

Further, McClendon (Col. 17, lines 64-67) indicates that a companion file can have (underlining added for emphasis) "...a file name that associates it with the original HTML file."

Thus, McClendon has disclosed assigning a file name to the companion file in a manner such that the companion file is associated with the original file. Therefore, no motivation exists to combine McClendon with any alleged general knowledge to arrive at claim 9.

Moreover, for the reasons provided above with respect to McClendon, combining McClendon with the alleged general knowledge fails to disclose, teach, or suggest all limitations of claim 9. For at least these reasons, independent claim 9 is allowable over McClendon. As claim 10 depends from claim 9, it also is allowable for at least the reasons discussed with respect to claim 9.

Further, claims 19 and 29 include elements similar to those contained in claim 9. For example, claim 19 recites (underlining added for emphasis) "...responsive to the identifier of the file received at the input retrieving via an input/output the file and a shadow file having a filename comprising the filename of the file and containing information about the file, the information about the file not being contained in the file." Similarly, claim 29 recites (underlining added for emphasis) "...responsive to a request to retrieve the file: retrieve the file; and retrieve a shadow file having a filename comprising the filename of the file and containing information about the file, the information about the file not being contained in the file." Therefore, claims 19 and 29 are allowable for at least the reasons discussed with respect to claim 9. Additionally, claims 20 and 30 depend from claims 19 and 29 respectively. Therefore, claims 20 and 30 are at least allowable based on claims 19 and 29.

Claim 11:

The Applicants' claim 11 recites (underlining added for emphasis) "a shadow file keys/values manager having an input operatively coupled for receiving in a web authoring tool the information related to the file and not contained in the file, the shadow file keys/values manager providing at an output a user interface for receiving said information related to the file and not contained in the file and for providing at the shadow file keys/values manager output said information related to the file and not contained in the file;...." McClendon fails to disclose, teach, or suggest the recited user interface.

The Office (Action of July 27, 2006, page 5) cites to McClendon Col. 12, lines 23-35 and McClendon Col. 17, lines 64-67 as disclosing the claimed shadow file keys/values manager, including providing the user interface. The Applicants respectfully disagree.

Claim 11 calls for the shadow file keys/values manager to provide at an output a user interface for receiving said information related to the file and not contained in the file. McClendon (Col. 17, lines 64-67) indicates that (underlining added for emphasis) "...each individual product property set can be...saved in XML format in a companion file with a file name that associates it with the original HTML file." McClendon does not, however, indicate that the information comprising the product property set is received through a user interface provided by a shadow file keys/values manager. To the contrary, McClendon (Col. 12, lines 30-35) indicates only that the user can "...send proposed extensions to a secretariat for consideration." Permitting a user to send proposed extensions to a secretariat does not comprise receiving information related to the file and not contained in the file at a user interface provided by a shadow file keys/values manager. Therefore, McClendon does not disclose, teach, or suggest a shadow file keys/values manager that provides at an output a user interface for receiving said information related to the file and not contained in the file.

The Office (Action of July 27, 2006, page 6) further asserts that "McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data." The Applicants respectfully disagree.

References are not analogous art merely because they disclose generating electronic data (MPEP 2141.01). Chiang (Chiang Provisional Application, page 2, lines 3-4) is directed to an HTML to Web Application Generator that converts HTML files into a generic programming language, such as C, C++, Java, or Perl. McClendon, however, states (Col. 2, lines 35-41) (underlining added for emphasis) "The present invention provides systems and methods for identifying and organizing construction product information...." Thus, Chiang and McClendon are directed to entirely different purposes and disclose achieving those purposes in different ways. Therefore, Chiang and McClendon are not analogous art.

Additionally, no motivation to combine Chiang and McClendon can be found in the references. The Office (Action of July 27, 2006, page 6) asserts that "The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20)." Chiang (Chiang Provisional Application, Page 1 line 17 to Page 2 line 2), however, explains that (underlining added for emphasis) "The generator offers ease of development by allowing business analysts to specify the application's graphical user interface in HTML independent of a generic programming language. Other benefits include object-orientation, scalability, ease of graphical design and high performance. The HTML files are input in the generator which outputs a corresponding generic programming language." Thus, Chiang attributes the disclosed benefits to the Web Application Generator that converts HTML files, not the web-authoring tool as the Office asserts. Therefore, there is no motivation to combine Chiang with McClendon.

Moreover, for the reasons provided above with respect to McClendon, the combination of Chiang and McClendon fails to disclose, teach, or suggest all limitations of claim 11. For at least these reasons, independent claim 11 is allowable over McClendon in view of Chiang. As claims 12-18 depend from claim 11, those claims also are allowable for at least the reasons discussed with respect to claim 11.

Claim 31:

The Applicants' claim 31 recites (underlining added for emphasis) "receiving by a web authoring tool first information to be contained in a first file, the first information comprising computer source code; receiving by the web authoring tool second information characterizing one or more properties of the first information;..."

The Office asserts (Action of July 27, 2006, page 8) that (underlining added for emphasis) "McClendon discloses a method and computer program product including receiving first information to be contained in a first file, the first information including computer source code, such as HTML code (See McClendon, Column 2, lines 35-44). McClendon also discloses receiving second information characterizing one or more properties of the first information (See

McClendon, Column 12, lines 23-35, and Column 17, lines 64-67)." The Applicants respectfully disagree.

Claim 31 states that the second information characterizes one or more properties of the first information, which comprises computer source code. Conversely, McClendon discloses that properties are associated with products. For example, McClendon (Col. 12, lines 14-15) discloses that (underlining added for emphasis) "Properties 255 and associated values 260 may be associated with categories of products." Additionally, McClendon (Col. 17, lines 64-67) indicates that a product property set can be pasted into an HTML file or can be saved in XML format in a companion file. McClendon (Col. 17, lines 59-61) further explains that (underlining added for emphasis) "Each individual product has its own set of properties – a product is defined as the smallest unit that has a unique part number." Therefore, the product property set disclosed by McClendon characterizes one or more properties of a product, not computer source code.

The Office (Action of July 27, 2006, page 9) further asserts that "McClendon and Chiang are analogous art because they are from the same field of endeavor of generating electronic data." The Applicants disagree. As discussed above with respect to claim 11, Chiang discloses an HTML converter, while McClendon discloses systems and methods for identifying and organizing construction product information. Thus, Chiang and McClendon are directed to entirely different purposes and disclose achieving those purposes in different ways. Therefore, Chiang and McClendon are not analogous art.

Also as discussed above with respect to claim 11, no motivation to combine Chiang and McClendon can be found in the references. The Office (Action of July 27, 2006, page 9) asserts that "The motivation for doing so would have been to allow the developer ease of graphical design and high performance. (See Chiang Provisional Application, Page 1, line 20)." Chiang, however, attributes the benefits cited by the Office to the Web Application Generator that converts HTML files, not the web-authoring tool as the Office asserts. Therefore, no motivation exists to combine Chiang and McClendon.

Moreover, for the reasons provided above with respect to McClendon, the combination of Chiang and McClendon fails to disclose, teach, or suggest all limitations of claim 31. For at least

these reasons, independent claim 31 is allowable over McClendon in view of Chiang. As claims 32-38 depend from claim 31, those claims also are allowable for at least the reasons discussed with respect to claim 31.

Further, claim 39 includes elements similar to those contained in claim 31. For example, claim 39 recites (underlining added for emphasis) "...receive by a web authoring tool first information to be contained in a first file, the first information comprising computer source code; receive by the web authoring tool second information characterizing one or more properties of the first information..." Therefore, claim 39 is allowable for at least the reasons discussed with respect to claim 31. Additionally, claims 40-46 depend from claim 39 and are at least allowable based on claim 39.

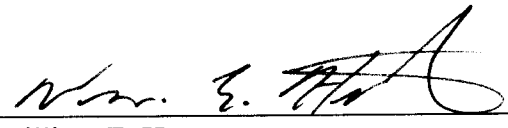
Concluding Comments

By responding in the foregoing remarks only to particular positions taken by the Office, the Applicants do not acquiesce to other positions taken by the Office that have not been explicitly traversed. Additionally, the Applicants' arguments for the patentability of a claim presented in this response should not be understood to indicate that no further reasons for the patentability of that claim exist.

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Respectfully submitted,

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